

2007-08 CHARTER ISSUE SUMMARY

Regional Committees

Section 270.20 Composition of regional committees

230.10 Introduction and Adoption.

270.30 Powers and Duties

Issue subject: Should the charter be amended to add language to enhance the authority of regional committees, to change the composition of the regional committees in order to lower the number of voting seats from 12 to nine, and/or to broaden the representation on the regional committees?

Issue raised by: Cities of Bellevue and Seattle, good government groups and individual citizens, as well as the King County Council and Suburban Cities Association raised concerns that the Regional Committees are not working to meet their intended objectives, that is, to give cities and sewer districts a substantive voice in the consideration of regional policies and plans.

Description of issue: Most of the amendments proposed by citizens during the CRC's public outreach process called for strengthening the role of non-Council members on the Regional Committees. In addition, the CRC heard comments arguing for the inclusion of two American Indian Tribes and parts of Snohomish County served or affected by sewage treatment capital expansion and operations. In addition, the city of Seattle and the city of Bellevue advocated for establishing representation on regional committees for cities of greater population in the county, effectively giving Bellevue a seat on regional committees, separate from Suburban Cities Association representation.

Finally, the CRC heard from King County Councilmember Larry Phillips representing the King County Council about the need to lower the number of councilmembers on each regional committee while maintaining the balance of voting power between councilmembers and other regional committee members. Councilmember Phillips said he suggested this change because of the increased time commitment required of each councilmember as a result of the downsizing of the Council and the increasing number of governing bodies on which councilmembers are being called upon to serve.

Summary of recommendations: Members of the Regional Committees Workgroup, which was comprised of representatives from the Suburban Cities Association, the city of Seattle, the city of Bellevue, King County sewerage districts and the King County Council, convened twice (January 31 and February 21). They deliberated and acted on the following issues:

- Reduce the number of County Council members who serve on committees from six to three without affecting the 50/50 balance in voting power (This is achieved by giving each K.C. Council member 2 votes and leaving the suburban city fractional voting formula the same.)

- Provide for a chair (Councilmember) and a vice-chair (selected by the non-County members of the committee) for each of the three committees.
- Empower the County Council to add, by ordinance, non-voting representation to the Water Quality Committee for areas served by King County sewage treatment services under contracts but outside of King County's boundaries.
- Provide for the Regional Policy Committee to set its own work program to address issues within the charter purview of the committee.
- Require the presence of members representing at least six and one-half vote to constitute a regional committee quorum; in the absence of a quorum, a committee may not vote on legislation or a work program.
- Allow committees to initiate motions and ordinances, including ones not assigned to the committee by the full Council.
- Require County Council to act on all proposed motions and ordinances sent by committees.

In addition, the group discussed though did not act on proposals to include a seat on regional committees for tribal representation, to change the current 50/50 balance in voting power, and to establish seats for cities above a given threshold of population, which would have made Bellevue the first of such cities in the county to have a separate seat on regional committees. The latter proposal was effectively deferred to Council decision-making.

Suggested charter revision:

270.20 Composition of regional committees.

Each regional committee shall consist of ~~((twelve))~~ nine voting members. ~~((Six))~~

Three members shall be metropolitan county councilmembers appointed by the chair of the council, and shall include councilmembers from districts with unincorporated residents.

Each county councilmember vote shall be weighted as two votes. The remaining six members of each committee except the water quality committee shall be local elected city officials appointed from and in proportion to the relative populations of: (i) the city with the largest population in the county and (ii) the other cities and towns in the county.

Committee members from the city with the largest population in the county shall be appointed by the legislative authority of that city. Committee members from the other cities and towns in the county shall be appointed in a manner agreed to by and among those cities and towns representing a majority of the populations of such cities and towns, provided, however, that such cities and towns may appoint two representatives for each allocated committee membership, each with fractional (1/2) voting rights.

The special purpose districts providing sewer service in the county shall appoint two members to serve on the water quality committee in a manner agreed to by districts representing a majority of the population within the county served by such districts. The remaining four local government members of the water quality committee shall be appointed in the manner set forth above for other regional committees. The council may by ordinance authorize the appointment of additional, non-voting members to the water quality committee, representing entities outside of the county that receive sewerage treatment services from the county. Allocation of membership of each committee's members who are city and town representatives shall be adjusted January 1 of each even-numbered year beginning in 1996 based upon current census information or, if more recent, official state office of financial management population statistics.

In the event any areas are annexed pursuant to powers granted to metropolitan municipal corporations under state law, the populations of any cities and towns in such annexed areas shall be considered as if they were within the county for purposes in this section with regard to regional committee participation on policies and plans which would be effective in such annexed areas. Each committee shall have a chair and a vice-chair with authority as specified by ordinance. The chair shall be a county councilmember

appointed by the chair of the county council. The vice-chair shall be appointed by majority vote of those committee members who are not county councilmembers, in accordance with voting rights that are apportioned as provided in this section.

230.10 Introduction and Adoption.

Proposed ordinances shall be limited to one subject and may be introduced by any councilmember, by initiative petition, by proposal of a regional committee in accordance with Section 270.30 of this charter or by institutional initiative. At least seven days after the introduction of a proposed ordinance, except an emergency ordinance, and prior to its adoption or enactment, the county council shall hold a public hearing after due notice to consider the proposed ordinance. Except as otherwise provided in this charter, a minimum of five affirmative votes shall be required to adopt an ordinance.

270.30 Powers and Duties.

Each regional committee shall develop, propose, review and recommend action on ordinances and motions adopting, repealing(~~(;)~~) or amending (~~((county-wide))~~) transit, water quality or other regional countywide policies and plans (~~((relating to))~~) within the subject matter area (~~((for which a regional))~~) of the committee (~~((has been established))~~). The subject matter area of the regional policies committee (~~((may, by majority vote, request that the county council assign to the committee proposed policies and plans concerning other regional issues including but not limited to public health, human services, regional services financial policies, criminal justice and jails, and regional facilities siting))~~) shall consist of those countywide plans and policies included in the committee's work program by a majority of the members present and voting, with no fewer than three and one-half affirmative votes.

The metropolitan county council shall ~~((assign))~~ refer each such proposed ordinance or motion, except those developed and proposed by a regional committee, to a regional committee for review. ~~((When a proposed policy or plan is referred to a))~~ The regional committee ~~((for))~~ shall complete, review~~((, a time limit for such review shall be))~~ and recommend action within one hundred twenty days or such other time as is jointly established by the metropolitan county council and the committee, which shall be confirmed in the form of a motion by the metropolitan county council. If the committee fails to act upon the proposed ~~((policy or plan))~~ ordinance or motion within the established time limit, the metropolitan county council may adopt the proposed ~~((policy or plan))~~ ordinance or motion upon six affirmative votes. The committee may request, by motion to the county council, additional time for review.

A proposed ~~((policy or plan recommended))~~ ordinance or motion that has been reviewed and recommended or developed and proposed by a regional committee may be adopted, without amendment, by the metropolitan county council by five affirmative votes. If the metropolitan county council votes prior to final passage thereof to amend a proposed ~~((policy or plan))~~ ordinance or motion that has been reviewed ~~((or))~~ recommended or proposed by a regional committee, the proposed ~~((policy or plan))~~ ordinance or motion, as amended, shall be referred back to the appropriate committee for further review and recommendation. The committee may concur in, dissent from~~((;))~~ or recommend additional amendments to the ~~((policy or plan))~~ ordinance or motion. After the regional committee has had the opportunity to review all metropolitan county council amendments, final action to adopt any proposed ~~((policy or plan which))~~ ordinance or motion that differs

from the committee recommendation shall require six affirmative votes of the metropolitan county council.

Each regional committee may develop and propose directly to the council, an ordinance or motion adopting, amending, or repealing a county-wide policy or plan within the subject matter area of the committee. Such proposals must be approved by a majority of the members present and voting, with no fewer than three and one-half affirmative votes. Within 120 days of introduction, the council shall consider the proposed legislation and take such action thereon as it deems appropriate, as provided by ordinance.

The council shall not call a special election to authorize the performance of an additional metropolitan municipal function under state law unless such additional function is recommended by a regional policy committee, notwithstanding the provisions of Section 230.50.10 of this charter. Such recommendation shall require an affirmative vote of at least two-thirds of the membership of each of: (1) metropolitan councilmembers of the committee; (2) members from the city with the largest population in the county; and (3) other city or town members of the committee. Nothing in this section prohibits the metropolitan county council from calling a special election on the authorization of the performance of one or more additional metropolitan functions after receiving a valid resolution adopted by city councils as permitted by RCW 35.58.100(1)(a) and RCW 35.58.100(1)(b), or a duly certified petition as permitted by RCW 35.58.100(2).

Draft implementing ordinance:

AN ORDINANCE relating to council rules and order of
business for Regional Committees; and amending
Ordinance 11683, Section 7, as amended, and K.C.C.
1.24.065.

SECTION 1. Ordinance 11683, Section 7, as amended, and K.C.C. 1.24.065 are
each hereby amended to read as follows:

Rule 7: Regional committees.

A. Establishment. Three regional, standing committees are established as
provided under the King County Charter to develop, recommend and review regional
policies and plans for consideration by the council: the regional transit committee, the
regional water quality committee and the regional policies committee.

B. Membership.

1. Composition of committees.

a. The regional policies committee and regional transit committee are to each
have ~~((twelve))~~ nine voting members. ~~((Six))~~ Three members of each committee, including
the chair of each, must be county councilmembers appointed by the chair of the council and
must include councilmembers from districts with unincorporated residents. Each county
councilmember shall have two votes. The chair of the county council shall also appoint the
chair of each committee. The remaining members of each committee must be local elected
city officials appointed from and in proportion to the relative populations of the city of
Seattle and the other cities and towns in the county. Cities and towns other than the city of
Seattle may appoint two persons for each of their allocated memberships in each

committee, each person with one-half vote. A vice-chair of each committee shall be elected by majority vote of the committee members who are not county councilmembers.

b. The regional water quality committee is to have ~~((twelve))~~ nine voting members. ~~((Six))~~ Three members of the committee, including the chair, must be county councilmembers appointed by the chair of the council, and must include councilmembers from districts with unincorporated residents. The chair of the county council shall also appoint the chair of the committee. Each county councilmember shall have two votes. The remaining members of the committee must be local elected city officials appointed from and in proportion to the relative populations of the city of Seattle and the other cities and towns in the county, and two members from special purpose districts providing sewer service in King County. Cities and towns other than the city of Seattle may appoint two persons for each of their allocated memberships, each person with one-half vote. Special purpose districts located outside of the county that receive sewerage treatment services from the county may jointly designate one non-voting representative to serve on the committee. A vice-chair of the committee shall be elected by majority vote of the committee members who are not county councilmembers.

2. Alternating memberships. Each appointing authority may alternate members in accordance with the procedures established by the authority. The appointments must be announced at the beginning of each regional committee meeting to the committee chair or vice-chair and committee secretary by a person authorized by the appointing authority. Each appointing authority shall identify those members to receive mailings and notices of meetings.

3. Powers and duties of the chair. The chair of the committee has the following powers and duties:

a. The chair shall:

(1) Call the committee to order at the hour appointed for meeting and, if a quorum is present, shall cause the minutes of the previous meeting to be approved;

(2) Proceed with the order of business; and

(3) Adjourn the committee upon a motion to adjourn approved by a majority of members present;

b. The chair shall preserve order and decorum and in the interest of efficiency may impose time and subject matter limits for testimony and comment given by the public and members of the committee;

c. The chair shall promote efficient operation of the committee. The chair's act of adding to, removing from or taking out of order an item on a distributed and posted agenda may be appealed to the full body by members whose cumulative voting power is at least two votes. The chair shall discourage activities that are dilatory or disruptive. The chair shall endeavor to facilitate the will of the majority of members present at all times;

d. The chair may speak to points of order, inquiry or information in preference to other members. Upon a ruling of the chair on a point of order, the chair shall allow any members whose cumulative voting power is at least two votes to immediately request that the decision be placed before the body. If a majority of votes present agree to the ruling of the chair, the business of the committee must proceed without further debate. If a majority of the votes present do not support the ruling of the chair, the chair shall immediately allow

a procedural motion to dispense with the issue in question, proceeding until a decision of the committee is secured and the business of the committee is allowed to proceed;

e. The chair shall provide copies to all committee members of all official communications and requests for committee action addressed to the chair.

4. Powers and duties of the vice-chair.

a. There shall be one vice-chair of each committee.

b. At committee meetings, the vice-chair shall exercise the duties, powers, and prerogatives of the committee chair in the chair's absence.

5. Chair actions, vice-chair consultation. The chair shall consult with the vice-chair in: (a) developing a draft work program for consideration by the full committee; (b) setting a schedule for carrying out the committee's work program; and (c) cancelling or changing the date, time or place of committee meeting. If the vice-chair disagrees with a chair's proposed decision regarding such matters, the chair shall not take unilateral action and shall refer such matters to the full committee.

C. Quorum, notice and voting. Members representing six and one-half votes constitute a quorum of a regional committee. In the absence of a quorum, the committee may perform all committee functions except for voting on legislation or a work program. Notice of all regular and special meetings must be provided as specified in the Open Public Meetings Act of 1971, chapter 42.30 RCW, and notice must be given to members of the committees, including members who at any time during the calendar year have served on the committee or have been designated by their appointing authority to receive notice. All recommendations of a regional committee on council referred ordinances or motions must be approved by a majority of the members present and voting and must consist of at least

three and one-half affirmative votes. All recommendations must be signed only by members who were present and voting on the matter and be made on a committee report form supplied by the council. There may not be voting by proxy.

D.1.a. Referral to the regional transit committee. The chair of the council shall refer to the regional transit committee countywide policies and plans related to the transit services formerly provided by the municipality of metropolitan Seattle. If a standing committee of the council is considering an issue that, upon the standing committee's subsequent review, the standing committee believes should be considered as a countywide policy or plan related to transit, then the standing committee shall so inform the chair of the council. The chair of the council may then determine whether the policy or plan is to be referred to a regional committee.

b. Referral to the regional water quality committee. The chair of the council shall refer to the regional water quality committee countywide policies and plans related to the water quality services formerly provided by the municipality of metropolitan Seattle. If a standing committee of the council is considering an issue that, upon the standing committee's subsequent review, the standing committee believes should be considered as a countywide policy or plan related to water quality, then the standing committee shall so inform the chair of the council. The chair of the council may then determine whether the policy or plan is to be referred to a regional committee.

2. Regional policies committee work program. The regional policies committee shall establish its subject matter through a work program adopted by ~~((ordinance by the council))~~ a majority of those committee members present and voting, with no fewer than three and one-half affirmative votes, provided that the work program shall be limited as

provided by charter or ordinance, including but not limited to section K of this rule, K.C.C.

1.24.065.K. Once the work program is adopted, all regional policies and plans related to the subject matter must be referred to the committee by the council.

3. Provisions applicable to referrals by council chair and rereferrals. Referrals by the council chair or rereferrals are subject to the procedures, rights and constraints of Rules 13, 17 and 26, K.C.C. 1.24.125, 1.24.165 and 1.24.255.

~~((4. Proposals and recommendations. If a regional committee develops a proposed countywide policy or plan, or amendment or repeal of a policy or plan, and adopts a recommendation with respect to the policy, plan, amendment or repeal, a county councilmember may introduce the appropriate legislation to adopt the recommended policy or plan.))~~

E. Time for review -- committees. A regional committee shall review legislation referred to it by the county council within one hundred twenty days of the legislation's referral or such other time as is jointly established by the council and the committee, which shall be confirmed in the form of a motion adopted by the council. However, the committee may request, and the county council may grant by motion, additional time for review. If the committee fails to act upon the proposed policy or plan within the established time limit, the county council may adopt the proposed policy or plan upon six affirmative votes.

F. Time for review – council. The council shall amend, adopt or defeat the legislation referred to a regional committee within ninety days after receipt of an initial regional committee recommendation. However, upon receipt of the council chair's written

request for an extension of the time limit, the committee may approve the request in writing by a majority vote at a special meeting or the next regular meeting of the committee.

G. Adoption.

1. A proposed policy or plan recommended by a regional committee may be adopted, without amendment, by the county council by five affirmative votes.

2. A proposed policy or plan that differs from the policy or plan recommended by a regional committee may be adopted by the county council by six affirmative votes after the regional committee has had the opportunity to review all county council amendments.

H. Amendments and rereferral.

1. If the county council votes before the final passage to amend a proposed policy or plan that has been reviewed or recommended by a regional committee, the proposed policy or plan, as amended, must be referred to the appropriate regional committee for further review and recommendation.

2. The timeline for the committee's review after rereferral may not be greater than sixty days. However, the committee may request, and the county council may grant by motion, additional time for review. The committee may concur in, dissent from or recommend additional amendments to the policy or plan.

3. The council shall amend, adopt or defeat the legislation within sixty days after receipt of a regional committee recommendation following rereferral by the council.

I. Regional committee consideration of other regional issues. The chair of the council may request that one or more regional committees examine and comment upon other pending issues that are not countywide policies or plans but would benefit from

interjurisdictional discussion. The issues may include, but are not limited to, operational, organizational or implementation measures for countywide plans and policies. This type of regional committee analysis and comment is not subject to the mandatory procedural requirements of Section 270.30 of the King County Charter and the county council may need to act on such issues before comment from the regional committee.

J. The regional committee is governed by the King County Charter, the King County Code and, except to the extent expressly provided otherwise, the rules and procedures established for standing and special committees in this chapter.

K. Role of regional committees.

1. A regional committee shall focus on planning and policy setting in program areas where it has been determined that regional service or facility planning is required and in area where it is agreed the opportunity and need for the planning exist. A regional committee is not responsible for routine review and recommendation on operational and administrative matters such as contracts, budgets, appropriations, and fares and rates, formerly performed by the council of metropolitan Seattle. A regional committee may, however, deal with policies to develop fares and rates within the committee's subject matter area.

2. The regional transit committee shall develop, review and recommend countywide policies and plans related to the transportation services formerly provided by the municipality of metropolitan Seattle. Plans and policies that must be assigned to the committee include, but are not limited to, the long-range transit system and capital improvement plans, service design, development and allocation policies, financial policies,

fare policies, facility siting policy and major facilities siting process, and review and comment upon Regional Transit Authority plans.

3. The regional water quality committee shall develop, review and recommend countywide policies and plans related to the water pollution control functions formerly provided by the municipality of metropolitan Seattle. Plans and policies that must be assigned to the committee include, but are not limited to, water quality comprehensive and long-range capital improvement plans, service area and extension policies, rate policies, and the facility siting policy and major facilities siting process.

4. The regional policies committee shall review and recommend regional policies and plans, other than transit and water quality plans, that are within the subject matter area for the committee. Also, the committee may develop proposed policies and plans on issues of countywide significance but, unless referred to the committee by the county council, the policies and plans are not subject to the procedural requirements of Section 270.30 of the King County Charter. Issues that may be referred to the committee or be the subject of the committee's policy development include, but are not limited to, public health, human services, open space, housing, solid waste management, regional services financial policies, criminal justice, jails and district court services, and regional facilities siting. In addition, the regional policies committee may consider major regional governance transition and consolidation issues, particularly those involving potential changes in organization and responsibilities with other county, city or regional organizations.

L. Policies or plans proposed by regional committees.

A regional committee may develop and propose directly to the council, an ordinance or motion adopting, amending, or repealing a county-wide policy or plan

regarding regional transit, water quality or other county-wide policies and plans within the subject matter area of the committee. Such proposals must be approved by a majority of the committee members present and voting, with no fewer than three and one-half affirmative votes. For purposes of this section, the subject matter of the regional policies committee shall include matters set forth in the committee's adopted work program. Within 120 days of introduction by the committee, the council or a standing committee shall consider the proposed legislation and take such action thereon as it deems appropriate, including approval, rejection, amendment and re-referral, postponement, or any other action of record during a council or standing committee meeting. Within five calendar days following council or standing committee action, the clerk of the council or the standing committee shall notify the vice-chair of the committee of the action taken. If the council amends the proposed legislation, the procedures described in Section H shall be followed, except that the council's duty to act on such legislation under Section H.3 shall be satisfied by approval, rejection, amendment and re-referral, postponement, or any other action of record taken during a council or standing committee meeting within sixty days following receipt of the legislation from the regional committee.

~~((L))~~M. To assist each regional committee in evaluating countywide policies and plans, the committee may conduct public meetings and hearings and request briefings and other information from citizens, county, state and local agencies, business entities and other organizations.

Recommendation:

1. Amend Section 230.10 (introduction and adoption) to allow regional committees to refer proposed ordinances to Council for its consideration and possible adoption or enactment, in the presence of a quorum.
2. Amend Section 270.20 (composition of regional committees) to reduce to nine the number of voting members on each regional committee, with Council member votes weighted as two votes. In addition, include language that authorizes Council to allow for the appointment of additional, nonvoting members to the Water Quality Committee that represent entities outside the county but that are served by county wastewater treatment systems. Finally, establish committee leadership vested in a chair (Councilmember) and a vice-chair (representing non-Council members).
3. Amend Section 270.30 (powers and duties) to authorize each regional committee to review and recommend action on ordinances and to develop its own work program, ordinances and motions, in the presence of a quorum. In addition, the provision allows regional committees to introduce legislation for Council consideration without a councilmember sponsor. Finally, amend this section to require Council to consider and take action on proposed legislation submitted by regional committees within 120 days after receipt, or another time jointly established by Council and the committee.
4. Adopt implementing ordinance.

Reference documents:

- Position Letters
 1. City of Bellevue (November 20, 2007)
 2. Suburban Cities Association (September 20, 2007 and February 21, 2008)
 3. Coal Creek and Washington Association of Sewer and Water Districts (November 26, 2007)
 4. City of Seattle (December 4, 2007, December 5, 2007, and December 17, 2007)
 5. City of Bellevue and City of Seattle (February 25, 2008)
- Briefing Paper, Regional Committees, Co-chairs of the Regional Committees Work Group and CRC staff, January 31, 2008.

Instructions for submitting charter recommendation to Council: Recommend to Council that it submit to King County voters in the November 2008 general election an initiative amending Sections 230.10, 270.10 and 270.30, as indicated above.